

under this subpart have been violated because of the employment of another person who otherwise could not have been appointed properly may appeal to the Merit Systems Protection Board under the provisions of the Board's regulations.

Subpart C—Placement Assistance Programs for Displaced Employees

SOURCE: 53 FR 28364, July 28, 1988, unless otherwise noted.

§ 330.301 Coverage.

(a) This subpart covers the Interagency Placement Program for employees who will be displaced or who have been separated from their Federal jobs as a result of agency workforce reductions, compensable on-the-job injury, discontinued service retirement, or disability retirement. Agencies have the primary responsibility for providing placement assistance to their surplus and displaced employees, and for administering career transition assistance programs. OPM supplements these agency efforts by administering the Interagency Placement Program which gives surplus or displaced employees priority referral to positions in other agencies.

(b) The operation of this subpart will be suspended from February 29, 1996 through September 30, 1999. In the interim, placement assistance will be provided in accordance with subparts B, F, and G of this part. OPM may extend this date if it determines that the Federal Government is still experiencing an emergency downsizing situation.

[62 FR 31320, June 9, 1997]

§ 330.302 OPM Interagency Placement Program.

OPM operates the Interagency Placement Program (IPP) which provides placement assistance to employees who have received a Certification of Expected Separation or specific notice of separation, or who have been separated.

[59 FR 32872, June 27, 1994]

§ 330.303 Eligibility.

(a) [Reserved]

(b) For the IPP, the registrant must:

(1) Be a present or former career or career-conditional employee, or excepted employee with competitive status and in tenure group I or II as defined in part 351 of this chapter (except that an employee occupying a Schedule C position as defined in part 213 of this chapter is not entitled to placement assistance);

(2) Be serving in or have been separated from a position in an agency whose personnel system is subject to competitive service requirements;

(3) Have a rating above "unacceptable" on his or her most recent performance rating of record as described in § 351.203 of this chapter (except individuals qualifying under paragraphs (b)(4)(iii) and (b)(4)(v) of this section or those who are in positions excluded from any performance appraisal system by law, regulation or OPM administrative action);

(4) Must be subject to one of the following:

(i) Has received a specific notice of separation under part 351 of this chapter, or a Certification of Expected Separation as provided in § 351.807 of this chapter.

(ii) Has declined a transfer of function to another commuting area or has declined reassignment to another commuting area (as defined in part 351 of this chapter);

(iii) Has fully or partially recovered from a compensable injury in accordance with the provisions of sub-chapter I of chapter 81 of title 5, United States Code, when the agency is unable to restore the employee;

(iv) Has applied for an annuity or has retired under the discontinued service retirement provision in section 8336(d)(1) or 8414(b)(1)(A) of title 5, United States Code; or

(v) Has retired due to disability under section 8337, 8451 or 8457 of title 5, United States Code; and

(5) Must register for the program within time limits specified by OPM.

[53 FR 28364, July 28, 1988, as amended at 59 FR 32872, June 27, 1994]